

Exhibit B

OCP Declaration and Retention Questionnaire for Van Ness Feldman LLP

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re:

PG&E CORPORATION

- and -

PACIFIC GAS AND ELECTRIC
COMPANY,

Debtors.

Bankruptcy Case
No. 19-30088 (DM)

Chapter 11

(Lead Case)
(Jointly Administered)

**DECLARATION AND DISCLOSURE
STATEMENT OF MICHAEL A. SWIGER, ON
BEHALF OF VAN NESS FELDMAN LLP**

- ☐ Affects PG&E Corporation
☒ Affects Pacific Gas and Electric Company
☐ Affects both Debtors

* All papers shall be filed in the Lead Case,
No. 19-30088 (DM).

I, Michael A. Swiger, hereby declare as follows:

1. I am a partner of Van Ness Feldman LLP, located at 1050 Thomas Jefferson St., N.W., Washington, D.C. 20007 (the “**Firm**”).

2. PG&E Corporation and Pacific Gas and Electric Company, as debtors and debtors in possession (together, the “**Debtors**”) in the above-captioned chapter 11 cases, have requested that the Firm provide appellate legal services to the Debtors, and the Firm has consented to provide such services (the “**Services**”).

3. The Services include, but are not limited to, the following: prepare and file, on behalf of the hydropower industry including Pacific Gas and Electric Company, a brief *amicus curiae* in the U.S. Court of Appeals for the Second Circuit in the case of *New York DEC v. FERC*, No. 19-1610.

4. The Firm may have performed services in the past and may perform services in the future, in matters unrelated to these chapter 11 cases, for persons that are parties in interest in the Debtors’ chapter 11 cases. As part of its customary practice, the Firm is retained in cases, proceedings, and transactions involving many different parties, some of whom may represent or be claimants or employees of the Debtors, or other parties in interest in these chapter 11 cases. The Firm does not

ORDINARY COURSE PROFESSIONAL
DECLARATION AND DISCLOSURE STATEMENT

1 perform services for any such person in connection with these chapter 11 cases. In addition, the Firm
2 does not have any relationship with any such person, such person's attorneys, or such person's
3 accountants that would be adverse to the Debtors or their estates with respect to the matters on which
4 the Firm is to be retained.

5 5. The Firm [does/does not] receive compensation from third party sources other than the
6 Debtors for the Services.

7 6. Neither I, nor any principal of, or professional employed by the Firm has agreed to
8 share or will share any portion of the compensation to be received from the Debtors with any other
9 person other than principals and regular employees of the Firm.

10 7. Neither I nor any principal of, or professional employed by the Firm, insofar as I have
11 been able to ascertain, holds or represents any interest materially adverse to the Debtors or their estates
12 with respect to the matters on which the Firm is to be retained.

13 8. As of the commencement of this chapter 11 case, the Debtors owed the Firm \$0 in
14 respect of prepetition services rendered to the Debtors.

15 9. The Firm is conducting further inquiries regarding its retention by any creditors of the
16 Debtors, and upon conclusion of this inquiry, or at any time during the period of its employment, if the
17 Firm should discover any facts bearing on the matters described herein, the Firm will supplement the
18 information contained in this Declaration.

19 Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury under the laws of the
20 United States of America that the foregoing is true and correct, and that this Declaration and
21 Disclosure Statement was executed on June 8, 2020, at Ashburn, Virginia 20147.

22
23 

24 Declarant Name
25
26
27
28

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re:

PG&E CORPORATION

- and -

PACIFIC GAS AND ELECTRIC
COMPANY,

Debtors.

Bankruptcy Case
No. 19-30088 (DM)

Chapter 11

(Lead Case)
(Jointly Administered)

RETENTION QUESTIONNAIRE

- ☐ Affects PG&E Corporation
☒ Affects Pacific Gas and Electric Company
☐ Affects both Debtors

* All papers shall be filed in the Lead Case,
No. 19-30088 (DM).

TO BE COMPLETED BY PROFESSIONALS EMPLOYED by PG&E Corporation and Pacific Gas and Electric Company, as debtors and debtors in possession (together, the “Debtors”) in the above-captioned chapter 11 cases.

All questions **must** be answered. Please use “none,” “not applicable,” or “N/A,” as appropriate. If more space is needed, please complete on a separate page and attach.

1. Name and address of professional:

Michael A. Swiger

Van Ness Feldman LLP

1050 Thomas Jefferson St., N.W., Washington, D.C. 20007

2. Date of retention: April 16, 2020

3. Type of services to be provided: Appellate litigation

4. Brief description of services to be provided:

Prepare and file, on behalf of the hydropower industry, a brief *amicus curiae* in the U.S. Court of Appeals for the Second Circuit in the case of *New York DEC v. FERC*, No. 19-1610

ORDINARY COURSE PROFESSIONAL
RETENTION QUESTIONNAIRE

5. Arrangements for compensation (hourly, contingent, etc.):
- Costs shared equally by participants on the brief including Pacific Gas and Electric Company, not to exceed \$5,000 per participant
- (a) Average hourly rate (if applicable): N/A
- (b) Estimated average monthly compensation based on prepetition retention (if company was employed prepetition): N/A
- (c) Disclose the nature of any compensation arrangement whereby the company is reimbursed by a third party for services provided to the Debtors (if applicable):
- Other participants on the brief were each to contribute an equal share of the total cost, not to exceed \$5,000 per participant – there was no arrangement for any third party to pay Pacific Gas and Electric Company’s share
6. Prepetition claims against the Debtors held by the company:
- Amount of claim: N/A
- Date claim arose: N/A
- Nature of claim: N/A
7. Prepetition claims against the Debtors held individually by any member, associate, or employee of the company: N/A
- Name: N/A
- Status: N/A
- Amount of claim: N/A
- Date claim arose: N/A
- Nature of claim: N/A
8. Disclose the nature and provide a brief description of any interest adverse to the Debtors or to their estates for the matters on which the professional is to be employed: N/A

9. Name and title of individual completing this form:

Michael A. Swiger, Partner

Dated: June 8, 2020



Signature of Individual Completing Form